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PATENT

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#21  
31482

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

J. Eric BERGE et al.

Serial No.: 09/364,794

Filed: July 30, 1999

) FOR: VACUUM PNEUMATIC SYSTEM  
FOR CONVEYANCE OF ICE  
)  
Group  
Art Unit: 3651  
)

**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
Washington, D.C. 20231

Attention: Jeffrey A. Shapiro  
Examiner

**RECEIVED**  
MAR 13 2002  
**GROUP 3600**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 1, 2001 of the Examiner finally rejecting claims 1, 11, 39, 59, 65, 72, 97, 102, 105, 126, 128, 138, 145, 151 and 164.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

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100.00 SF

March 1, 2002  
(Mailing Date)

Melissa J. Leffler  
(Typed Name)

(Signature)

March 1, 2002  
(Date of Signature)

The item(s) checked below are appropriate:

1. [ X ] An extension of time to respond to the final rejection:

a. [ ] was obtained on \_\_\_\_\_ for \_\_\_\_\_ month(s).

b. [ X ] is hereby requested under 37 CFR 1.136 for 1 month(s). A Fee Transmittal Form PTO/SB/17 is enclosed indicating payment of the extension fee of \$55.00.

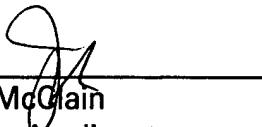
2. [ X ] Appeal fee of \$160.00 is enclosed.

Please charge any deficit or credit any excess to our Deposit Account No. 02-4070 referencing number 7480-PA1CP2. A copy of this Notice is enclosed herewith.

Respectfully submitted,

Dated: March 1, 2002

By: \_\_\_\_\_

  
James W. McClain  
Attorney for Applicant  
Registration No. 24,536

BROWN MARTIN HALLER & McCLAIN LLP  
1660 Union Street  
San Diego, California 92101

Telephone: (619) 238-0999  
Facsimile: (619) 238-0062

Docket No.: 7480-PA1CP2